

LICENSE EXCEPTION ENC (740.17)

740.17 Sub¶	Item Description or Purpose of Export	ECCN	End User Authorized (outside E:1)	Submission Requirements
(a)(1)	Development/Production only	5A002.a1, .a2, .a5, .a6, .a9, 5A002.b, 5B002, 5D002, 5E002	Private end user HQ'd in Supp. 3 countries	None*
(a)(2)	Any internal purpose	5A002.a1, .a2, .a5, .a6, .a9, 5A002.b, 5B002, 5D002, 5E002	U.S. Subs (employees, interns, contractors)	None*
(b)(1)	All encryption items except items described in (b)(2) and (b)(3)	5A002.a1, .a2, .a5, .a6, .a9, 5B002, 5D002	All except E:1 countries	1. Encryption Registration (Submit Supp. 5, Part 742 in SNAP) ERN 2. Annual Self-Classification Report (Submit Supp. 8, Part 742 in email)
(b)(2)	Network infrastructure, source code, designed for gov't, custom crypto, modifiable crypto, quantum crypto, penetration testing, public safety radio, cryptanalytic, non-standard tech, OCI, encryption technology	5A002.a1, .a2, .a5, .a6, .a9, 5A002.b, 5B002, 5D002, 5E002	- Immediate export to Supp. 3 - 30 day wait outside Supp. 3 - No gov't outside Supp. 3 - Cryptanalytic/source code-no gov't - non-standard/cryptanalytic tech and OCI: Supp. 3 only - 5E002: no D:1 countries (unless HQ'd in Supp. 3)	1. Encryption Registration (Submit Supp. 5, Part 742 in SNAP) ERN 2. Classification Req. w/30 day wait (submit Supp. 6, part 742 in SNAP) 3. Semi-Annual Report by email (see 740.17(e))
(b)(3)	(i) Encryption components: chips, electronic assemblies, crypto libraries, toolkit, dev kits (ii) Non-standard crypto items (iii) Digital forensics	5A002.a1, .a5, .a6, 5A002.b, 5D002	- Immediate export to Supp. 3 countries - 30 day wait outside Supp. 3 countries	1. Encryption Registration (Submit Supp. 5, Part 742 in SNAP) ERN 2. Classification Req. w/30 day wait (submit Supp. 6, part 742 in SNAP) 3. Semi-Annual Report for (b)(3)(iii) only, by email (see 740.17(e))
(b)(4)	(i) Short-range Wireless (ii) Foreign dev with US enc parts	5A002.a1, .a5, .a6, 5B002, 5D002	All except E:1 countries	None

*Developed products are subject to the EAR

Revised 4/16/12